



# भारत का राजपत्र The Gazette of India

असाधारण  
EXTRAORDINARY

भाग II—खण्ड 2  
PART II—Section 2

प्राधिकार से प्रकाशित  
PUBLISHED BY AUTHORITY

सं० 30/  
No. 30]

नई दिल्ली, शुक्रवार, अगस्त 4, 1989/श्रावण 13, 1911  
NEW DELHI, FRIDAY, AUGUST 4, 1989/SRAVANA 13, 1911

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन  
के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed  
as a separate compilation.

## LOK SABHA

The following Bills were introduced in Lok Sabha on 4th August, 1989:—

BILL No. 57 of 1989

*A Bill further to amend the Land Acquisition Act, 1894.*

BE it enacted by Parliament in the Fortieth Year of the Republic of India as follows:—

1. (1) This Act may be called the Land Acquisition (Amendment) Act, 1989.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

1 of 1894

2. In section 6 of the Land Acquisition Act, 1894, after sub-section (1), the following sub-section shall be inserted, namely:—

“(1A). No declaration, under sub-section (1), shall be made with respect to a land covered by the notification under section 4, sub-section (1), if—

(i) such land is least suitable for the purpose for which it is to be acquired; or

(ii) the public interest can be served to a slightly lesser extent by acquiring some other land; or

(iii) the loss caused to the person interested in land is much more than the public interest that can be served by acquisition of such land.”.

Short  
title and  
com-  
mence-  
ment,

Amend-  
ment of  
section  
6.

## STATEMENT OF OBJECTS AND REASONS

As per section 5A of the Land Acquisition Act, 1894, parties interested in a land notified to be acquired by the Government can file their objections with the authorities. It has been observed that objections filed by the interested parties are treated very lightly by the Collectors who are supposed to hear objections and submit report to the Government. Genuine difficulties of the people are not given weightage by the Collectors. Public interest is not examined *vis-a-vis* individuals' sufferings.

The proposed amendment, therefore, makes it mandatory for Government to consider certain aspects specifically before a declaration regarding acquisition of land is made. It is proposed that a declaration for acquisition of land shall not be made if—

- (i) the land notified is the least adapted to the purpose for which it is to be acquired; or
- (ii) the public interest can be served to a slightly lesser extent by acquiring some other land; or
- (iii) the loss that may be caused to the interested person is more as compared to the public interest that may be served by acquisition of land.

Hence this Bill.

NEW DELHI;  
July 7, 1989.

SHANTARAM NAIK

## BILL NO. 56 OF 1989

*A Bill further to amend the Representation of the People Act, 1950 and the Representation of the People Act, 1951.*

BE it enacted by Parliament in the Fortieth Year of the Republic of India as follows:—

1. (1) This Act may be called the Representation of the People (Amendment) Act, 1989.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. In section 13CC of the Representation of the People Act, 1950, the following proviso shall be added at the end, namely:—

“Provided that if an officer or other staff on deputation to the Election Commission commits any act of indiscipline during the course of such deputation, notwithstanding anything contained in

Short  
title  
and  
com-  
mence-  
ment.

Amend-  
ment of  
section  
13CC  
of Act  
No. 43  
of 1950.

any other law, rule, regulation or order by which such officer or staff is governed, the Election Commission shall be the sole disciplinary authority to take such action against such officer or staff as it deems fit.”.

Amend-  
ment of  
section  
28A of  
Act No.  
43 of  
1951.

3. In section 28A of the Representation of the People Act, 1951, the following proviso shall be added at the end, namely:—

“Provided that if an officer on deputation to the Election Commission commits any act of indiscipline during the course of his deputation, notwithstanding anything contained in any other law, rule, regulation or order by which such officer is governed, the Election Commission shall be the sole disciplinary authority to take such action against such officer as it deems fit.”.

## STATEMENT OF OBJECTS AND REASONS

Under section 13CC of the Representation of the People Act, 1950, which has been recently added to the Act, the officers and staff employed in connection with preparation, revision and correction of electoral rolls for, and the conduct of, all elections shall be deemed to be on deputation to the Election Commission for the period during which they are so employed and such officers and staff shall, during that period, be subject to the control, superintendence and discipline of Election Commission. Similar is the case of officers entrusted by the Election Commission the work of conducting elections. Section 28A has also been added to the Representation of People Act, 1951.

However, mere vesting of supervisory powers in the Election Commission over the officers and other staff engaged in the conduct of elections and preparation of electoral rolls, may not serve the purpose as, disciplinary authorities with respect to each of these officers may be different, vested with disciplinary powers under different laws, rules or regulations. If the powers of disciplinary nature are not vested in the Election Commission, the Commission may not be effective in dealing with any officer committing an Act of indiscipline during elections.

The proposed amendment, therefore, proposes to vest, specifically, disciplinary powers with the Election Commission.

NEW DELHI;

SHANTARAM NAIK

*July 7, 1989.*

## BILL NO. 54 OF 1989

*A Bill to amend the Registration of Births and Deaths Act, 1969.*

Enacted by Parliament in the Fortieth Year of the Republic of India as follows:—

Short title  
and com-  
mence-  
ment.

1. (1) This Act may be called the Registration of Births and Deaths (Amendment) Act, 1989.

(2) It shall come into force on such date as the Central Government may, by notification in the official Gazette, appoint.

Amend-  
ment of  
section 20.

2. In sub-section (2) of section 20 of the Registration of Births and Deaths Act, 1969, for the words "sixty days", wherever they occur, the words "one year" shall be substituted. 18 of

## STATEMENT OF OBJECTS AND REASONS

At present in case of any child born outside India, to an Indian citizen, if the information with respect to registration of such birth in the respective Indian Consulate has not been passed on to the concerned Registrar in India, under sub-section (2) of section 20 of the Registration of Births and Deaths Act, 1969, the parents of the child after returning to India, within 60 days from the date of arrival of the child in India are entitled to get birth of the child registered in India.

Since such parents take easily two or three months just to settle after their arrival, the said period of sixty days is insufficient.

Hence the proposed amendment seeks to substitute the period of sixty days by one year.

NEW DELHI;  
*July 7, 1989.*

SHANTARAM NAIK

---

SUBHASH C. KASHYAP,  
*Secretary-General.*

